

Serial No.: 10/711,161
Confirmation No.: 5160
Applicant: HEDERSTIERNA, Johan
Atty. Ref.: 7589.188.PCUS00

REMARKS:

REMARKS REGARDING CLAIMS AMENDMENTS:

Claims 15, 16 and 17 have been cancelled and claims 1 and 13 have been amended to overcome rejection and to place the present application in condition for allowance. Amendment of claims 1 and 13 finds support in paragraphs 23 – 25 and 28 and Figures 1 and 2 of the present application, as filed.

Claims 1 – 4, 7 – 13 are pending in the present application.

IN RESPONSE TO THE OFFICE ACTION:

OBJECTION TO THE DRAWINGS:

The Office Action includes objection to the drawings under 37 CFR 1.83(a). Objection was made to the limitation of the “central section of the leaf spring” that had no identifying numeral in the drawings. Recitation of the limitation has been removed from claims 1 and 13.

Request is made for reconsideration and withdrawal of objection to the drawings.

REJECTION UNDER 35 U.S.C. § 112:

Claims 1 (and 13) stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the phrase “a support bracket for attachment thereto of a spring by a central section thereof,” is indefinite.

Claims 1 and 13 have been amended to remove reference to “a central section” so as to clarify the present invention.

Applicant requests reconsideration and withdrawal of rejection of claims 1 and 13 under 35 U.S.C. §112, second paragraph.

REJECTION UNDER 35 U.S.C. § 103(a):

The Office Action indicates that claims 1 – 4, 7 – 13 and 15 – 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over DT – 2312864 (Wende DT ‘864) in view of US Patent 5,271,678 to Bourgeot.

Since the present Office Action is a Final Action, applicant is mindful that response is limited to canceling claims and amending claims in the present application. For this reason, claims 1 and 13 have been amended to include limitations found in claims 15 – 17, which claims have been canceled. Claims 1 and 13 have been further amended to differentiate them from the structure illustrated in Figures 1 – 3 of DT ‘864. Convenient comparison of the differences is presented in tabular form as follows:

COMPARISON OF THE PRESENT INVENTION
WITH TEACHINGS OF THE REFERENCE (WENDE)

Claims Requirements of the Present Invention	Wende (DT-2312864)
Claims 1 and 13 recite, "... a leaf spring support (4) <u>under</u> a leaf spring ... that consists of a number of spring leaves (12) in a stack..."	Figures 2 and 3 of Wende show the leaf spring support 9 over the multiple spring leaves part 7 of the leaf spring.
Claims 1 and 13 recite, "... in a stack that is fixed to said bracket by mounting said stack <u>over</u> said leaf-spring support (4) ..."	Figures 2 and 3 of Wende show mounting of multiple spring leaves part 7 of the spring under the leaf spring support 9.
Claims 1 and 13 also recite, "... securing said leaf spring to said leaf spring support (4) by clamps (13) ..."	Figure 2 of Wende shows that the leaf spring secured to the leaf spring support 9 by a bent leaf 20 of the leaf spring 1.
Claims 1 and 13 further recite, "... a leaf spring that is centrally suspended on said bracket (2) between each of two ends of said leaf spring ..."	Figure 1 of Wende shows that the leaf spring 1 is suspended from the support 9 by the spring end 20. As illustrated, this structure does not teach a centrally suspended leaf spring.

Amendment of claims 1 and 13 clarifies the present invention and identifies limitations that Wende (DT '864) fails to teach (see previous table). Support for amendment of claims 1 and 13 exists in the descriptive portion of the present application in the following paragraphs; [Para 23], [Para 24], [Para 25] and [Para 28] and Figures 1 and 2. It appears that, relying on DT '864 in view of Bourgeot, does not provide a *prima facie* case of obviousness under 35 U.S.C. §103.

Applicant submits that amendment of claim 1 and claim 13 places the application in condition for allowance. Consequently, request is respectfully made for reconsideration of the application and notification of allowance of claims 1 – 4 and 7 – 13 in the next paper from the Office.

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The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Order No. 7589.188.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tracy Druce", written in a cursive style.

Tracy W. Druce, Esq.
Reg. No. 35,493